

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF BELLSOUTH )  
MOBILITY, LLC D/B/A CINGULAR )  
WIRELESS - KENTUCKY FOR )  
ISSUANCE OF A CERTIFICATE OF )  
PUBLIC CONVENIENCE AND )  
NECESSITY TO CONSTRUCT A )  
WIRELESS COMMUNICATIONS )  
FACILITY AT ROUGH AND TOUGH )  
ROAD, PRESTONSBURG, KENTUCKY )  
41653 OR, IN THE ALTERNATIVE, AN )  
ORDER REQUIRING CO-LOCATION )  
ON REASONABLE TERMS AND )  
CONDITIONS IN THE WIRELESS )  
COMMUNICATIONS LICENSE AREA IN )  
THE COMMONWEALTH OF KENTUCKY )  
IN THE COUNTY OF FLOYD )  
SITE NAME: BRAINARD )

CASE NO. 2004-00413

O R D E R

This matter is before the Commission on its own motion. After several months of negotiating and preparing a settlement agreement in this case, the parties have thus far failed to file same with the Commission.

IT IS THEREFORE ORDERED that this case shall come for hearing on November 2, 2006 at 9:00 a.m., Eastern Standard Time, in Hearing Room 1 of the Commission's offices at 211 Sower Boulevard, Frankfort, Kentucky so that the parties may explain in detail the basis for the delay in filing the settlement agreement.

Done at Frankfort, Kentucky, this 19<sup>th</sup> day of October, 2006.

By the Commission

ATTEST:

  
\_\_\_\_\_  
Executive Director